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OFFICE OF PETITIONS

In re Application of
Gregory Scott Clark, Aynur Unal,
Michael Meehan
Application No. 10/675,926
Filed: September 30, 2003
Attorney Docket No. 215.1021.02

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the petition under 37 CFR 1.47(a), filed May 13, 2004.

The petition under 37 CFR 1.47(a) is **GRANTED**.

The above-identified application was filed on September 30, 2003, without a fully executed oath or declaration or the statutory basic filing fee. Accordingly, on January 9, 2004, the Office mailed a Notice to File Missing Parts of Nonprovisional Application, requiring these missing items and a surcharge for their late filing. In reply, applicants filed the instant petition under 37 CFR 1.47(a) on May 13, 2004, made timely by obtaining a two month extension of time and including a Certificate of Mailing dated May 10, 2004 (May 9, 2004 fell on a Sunday).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor(s) cannot be reached or refuses to sign the oath or declaration after having been presented with the

application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 37 CFR 1.63; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor(s).

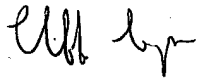
On petition, Rule 47 applicants have included a statement of facts from attorney Jeffrey Scott Petro. According to Petro, a copy of the application papers was forwarded to the last known address of Unal on March 9, 2004. According to Petro, as of the date of filing the petition, no executed declaration from Unal has been received.

On petition, Rule 47 applicants have submitted a declaration in compliance with 37 CFR 1.63 and satisfied the requirements of 37 CFR 1.47(a). Accordingly, the above-identified application is hereby accorded Rule 1.47(a) status.

Pursuant to 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the last known address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to Group Art Unit 3624 for processing into a patent.

Telephone inquiries related to this decision may be directed to the undersigned at (703) 305-0272.



Cliff Congo
Petitions Attorney
Office of Petitions